

§6.153

(a) The act by an industry member of resetting stock on a retailer's premises (other than stock offered for sale by the industry member).

(b) The act by an industry member of purchasing or renting display, shelf, storage or warehouse space (*i.e.* slotting allowance).

(c) Ownership by an industry member of less than a 100 percent interest in a retailer, where such ownership is used to influence the purchases of the retailer.

(d) The act by an industry member of requiring a retailer to purchase one alcoholic beverage product in order to be allowed to purchase another alcoholic beverage product at the same time.

§6.153 Criteria for determining retailer independence.

The criteria specified in this section are indications that a particular practice, other than those in §6.152, places retailer independence at risk. A practice need not meet all of the criteria specified in this section in order to place retailer independence at risk.

(a) The practice restricts or hampers the free economic choice of a retailer to decide which products to purchase or the quantity in which to purchase them for sale to consumers.

(b) The industry member obligates the retailer to participate in the promotion to obtain the industry member's product.

(c) The retailer has a continuing obligation to purchase or otherwise promote the industry member's product.

(d) The retailer has a commitment not to terminate its relationship with the industry member with respect to purchase of the industry member's products.

(e) The practice involves the industry member in the day-to-day operations of the retailer. For example, the industry member controls the retailer's decisions on which brand of products to purchase, the pricing of products, or the manner in which the products will be displayed on the retailer's premises.

(f) The practice is discriminatory in that it is not offered to all retailers in the local market on the same terms without business reasons present to justify the difference in treatment.

27 CFR Ch. I (4–1–03 Edition)

PART 7—LABELING AND ADVERTISING OF MALT BEVERAGES

Subpart A—Scope

Sec.

- 7.1 General.
- 7.2 Territorial extent.
- 7.3 Forms prescribed.
- 7.4 Related regulations.
- 7.5 Delegations of the Director.

Subpart B—Definitions

- 7.10 Meaning of terms.

Subpart C—Labeling Requirements for Malt Beverages

- 7.20 General.
- 7.21 Misbranding.
- 7.22 Mandatory label information.
- 7.23 Brand names.
- 7.24 Class and type.
- 7.25 Name and address.
- 7.26 Alcoholic content [suspended as of April 19, 1993; see §7.71].
- 7.27 Net contents.
- 7.28 General requirements.
- 7.29 Prohibited practices.

Subpart D—Requirements for Withdrawal of Imported Malt Beverages From Customs Custody

- 7.30 Application.
- 7.31 Label approval and release.

Subpart E—Requirements for Approval of Labels of Malt Beverages Domestically Bottled or Packed

- 7.40 Application.
- 7.41 Certificates of label approval.
- 7.42 Exhibiting certificates to Government officials.

Subpart F—Advertising of Malt Beverages

- 7.50 Application.
- 7.51 Definitions.
- 7.52 Mandatory statements.
- 7.53 Legibility of mandatory information.
- 7.54 Prohibited practices.
- 7.55 Comparative advertising.

Subpart G—General Provisions

- 7.60 Exports.

Subpart H—Interim Regulations for Alcoholic Content Statements

- 7.71 Alcoholic content.

Subpart I—Use of the Term “Organic.”

- 7.81 Use of the term “organic.”